

Oak Harbor City Council
Regular Meeting Minutes
April 18, 2023

This was both a physical meeting location and a virtual meeting. Meeting was viewable live via YouTube at www.youtube.com/cityofoakharbor, on Facebook, and on Cable Channel 10/HD 1090 following the meeting

CALL TO ORDER

Mayor Pro Tem Hizon called the meeting to order at 6:00 p.m.
Mayor Pro Tem Hizon read an acknowledgement of indigenous peoples.

Invocation – Pastor Josh Hubbard, Life Church

Pledge of Allegiance – Led by Mayor Pro Tem Hizon

ROLL CALL

City Council Present:

Mayor Robert Severns - absent
Mayor Pro Tem Tara Hizon
Councilmember Beth Munns - absent
Councilmember Jim Woessner
Councilmember Bryan Stucky
Councilmember Shane Hoffmire
Councilmember Eric Marshall

Staff Present/Videoconference

City Administrator Blaine Oborn
Finance Director David Goldman
Parks & Recreation Director Brian Smith
Fire Chief Ray Merrill
Police Chief Kevin Dresker
City Engineer Alex Warner
Central Services Supervisor Sandra Place
HUMAN Resources Director Emma House
Executive Assistant Macalle Finkle
Communications & IT Manager Sabrina Combs
City Clerk Julie Nester

Also in attendance: City Attorney
Hillary J. Evans of Kenyon Disend, PLLC

EXCUSE ABSENT COUNCILMEMBERS

Mayor Pro Tem Hizon noted she was chairing the meeting at the request of Mayor Severns. She observed Councilmember Munns had asked to be excused and called for a motion. Councilmember Marshall moved to excuse Councilmember Munns, seconded by Councilmember Hoffmire, the vote on the motion carried unanimously.

1. APPROVAL OF AGENDA

Mayor Pro Tem Hizon noted Consent agenda item g. Appointment: Arts Commission Position 6 – Nick Hamden, had been removed. Hearing no other changes, she called for a motion to accept the agenda as amended.

Motion: Councilmember Marshall moved to accept the agenda as amended. The motion was seconded by Councilmember Hoffmire and carried unanimously.

2. PRESENTATIONS

a. i. Proclamations – Arbor Day

Mayor Pro Tem Hizon called upon Councilmember Marshall to read the 2023 Arbor Day Proclamation.

Parks & Recreation Director Smith introduced Parks Board Chair Jana Warner who provided background information on Arbor Day, which is a national holiday. This year, the City Parks & Recreation Department will partner with Broadview Elementary to plant trees at the adjacent Well Site - 10 Park, including a competition among the classes to rename the Park.

b. i. Honors & Recognitions – Tree City USA Recognition

Parks & Recreation Director Smith introduced Parks Specialist II Bob Bailey, who reviewed the reviewed the recognition from the Arbor Day Foundation, and the requirements for the designation. Started in 1976, Tree City USA is one of the Arbor Day Foundation's oldest programs. The Arbor Day Foundation began with a vision for a greener, healthier America, and hoped this initiative would inspire change on a nationwide level. The first Tree City USA cohort was comprised of forty-two communities in 16 states. Today, the program includes more than 3,600 communities from all 50 states. The City has received this recognition for twenty years of meeting those requirements and stewardship. Specialist Bailey also thanked the City Streets Division for their work in monitoring trees. He presented Mayor Pro Tem Hizon with a certificate of the Tree City USA recognition.

c. Community Presentations – None

3. CITIZEN COMMENT PERIOD

Mayor Pro Tem Hizon noted citizens may comment on Consent Agenda items or subjects of interest not listed on the agenda at this time and that citizens would have the opportunity to comment on the remaining Agenda items during the meeting as appropriate.

Citizens can also visit the City's website prior to meetings for methods to submit public comment, or contact the City Clerk, Julie Nester by phone or email. When submitting comments, please include your name and address. Public comments sent anonymously will be shared with the Mayor and Council but will not be displayed.

Mayor Pro Tem Hizon opened the floor for public comment from any other audience member present. Hearing no one with a desire to address the Council, the public comment period was closed.

4. CONSENT AGENDA

Consent Items

- a. Approval of Minutes of the April 4, 2023 Council Meeting
- b. Approval of Payroll and Accounts Payable Vouchers
- c. Bid Award – UV Commercial Air Purification and Air Duct Cleaning
- d. 2023 Hot Mix Asphalt (HMA) Overlay Project Award
- e. Flintstone Park Restroom Rehabilitation Project – Final Contract Voucher Certificate
- f. Professional Services Agreement: Maul Foster & Alongi– Sediment Assessment at Mariners Haven
- ~~g. Appointment: Arts Commission Position 6 – Nick Hamden~~ This item was removed
- h. Appointment: Park Board, Alternate – Kate Rose

Mayor Pro Tem Hizon noted that as stated earlier, item g. Appointment of Nick Hamden, was removed from the agenda after publication, as the applicant withdrew his application due to scheduling conflicts. She called for any other changes to the consent agenda.

Councilmember Hoffmire noted he did not wish to pull item d. 2023 Hot Mix Asphalt (HMA) Overlay Project Award but would like to hear an update prior to voting. City Engineer Warner provided a presentation on the project and the bid process. Kreig Construction was the lowest responsive and responsible bidder and was under the engineering estimate for the project.

Hearing no other discussion, Mayor Pro Tem Hizon noted the Consent Agenda was approved as presented.

5. MAYOR, COUNCIL & STAFF COMMENTS

a. Mayor - Mayor Pro Tem Hizon provided the following comments and updates on behalf of Mayor Severns:

- Staff Work Anniversaries: Several city employees recently celebrated milestone work anniversaries: PW Operations Manager Steve Bebee – 35 years, Deputy Fire Chief Mike Buxton – 30 years, Solid Waste Lead George Place and Solid Waste Collector Mike Boonstra – 25 years. And several at 15 years – Harbormaster Chris Sublet, Marina Operations Specialist Stephanie Lee-Saunders, Police Sgt. Jen Gravel, and Police Officer Manny Silveria. Congratulations to all!
- Boards & Committees: The City has openings on the Arts Commission, Historic Preservation Commission, Investment Committee, Planning Commission and Salary Commission. Please visit our website for more details.
- Robotics Competition: The Mayor and City Council send our good luck wishes to three Oak Harbor siblings, Mikoilo, Mikayla and Misaella Serrantes who qualified to compete in the largest robotics competition in the world, the VEX Robotics World Championship, in Dallas, Texas on April 24–28. Only 13 teams from Washington, out of 200, qualified to compete. The team took third place in the state this year.
- City Hall Open House: The City will hold an Open House at City Hall tomorrow, April 19th from 4-6 p.m. Stop by, meet some of our staff and find out more about City how-to's and operations. Members of Council may be participating, and a notice of attendance has been posted.
- Coffee with a Cop: This well-received event returns. This is your opportunity to interact and get to know, ask questions, and voice concerns to our local Police department. Starbucks 31270 SR-20 (the south location) on Thursday, May 4, 2023 from 11:00 a.m. to 1:00 p.m.
- Upcoming Community Events: The Whidbey Island Marathon is taking place this coming Sunday; motorists should plan ahead for road closures and be alert for runners along roadways. The City will have a booth at Holland Happening to promote the Active Transportation Plan and a few of the City Councilmembers will be participating in the parade.

b. Councilmembers

Mayor Pro Tem Hizon called upon the Council for any comments.

Councilmembers Hoffmire, Woessner, Stucky, and Mayor Pro Tem Hizon provided their respective updates and comments.

Mayor Pro Tem Hizon observed there were two items for Council consideration:

- i. Approving the Schedule and Procedure for filling City Council Vacancy – Position No. 4

Mayor Pro Tem Hizon noted Councilmember Dan Evans resigned his position on April 5th. The Council must appoint a qualifying person to serve in that vacant position until the citizens elect a new council member in November. Staff provided a proposed schedule and detailed procedures for filling the vacancy, which was also reviewed by legal counsel.

City Administrator Oborn reviewed the item. Per RCW 42.12.070, the City Council has 90 days in which to fill the vacancy, which will be July 3, 2023.

The now vacant term runs until December 31, 2025. However, per state law, the person appointed by Council to fill a council vacancy “shall serve until a qualified person is elected at the next election at which a member of the governing body normally would be elected.” RCW.42.12.070(6).

General elections for cities are held in odd numbered years, so “the next election at which a member of the governing body normally would be elected” is November 7, 2023. Therefore, the person appointed by Council will serve until November 28, 2023 when the votes for the municipal general election are certified, at which point the person elected to Position No. 4 will take over to fill the remaining term (the short term) through December 31, 2025.

The deadline for filing for the November general election is the week of May 15-19, 2023.

Staff proposed the following schedule for filling the City Council Vacancy:

- April 18, 2023 - Regular Council Meeting: Approve the procedure for filling the City Council Vacancy - Position No. 4
- April 26, and May 3, 2023: Advertise the Vacancy in the legal section of the Whidbey News Times, the City's paper of record. Advertise the Vacancy on the City's website. This will include instructions for interested individuals to complete an application.
- May 8, 2023 - 4:30 p.m.: Deadline for applications to be submitted to the City Clerk's Office. Applicants must be a registered voter in Island County and must have resided within the Oak Harbor City Limits for at least one year.
- May 16, 2023 - Regular Council Meeting - Council review of qualified applicants and creation of a shortlist, if needed, for interviews.
- May 24, 2023 - Workshop (would be noticed as an action meeting): Interview applicants on the shortlist. Hold an Executive Session to discuss the shortlist applicants, then resume open session to make the final appointment and swear in the selected applicant.

City Administrator Oborn reviewed the proposed process and terms of the seat, application, advertisement, verification of eligibility, and timeline. The Council reviewed the suggested schedule and procedure.

Councilmembers Hoffmire, Stucky, Marshall, and Mayor Pro Tem Hizon provided their respective questions and comments.

Motion: Councilmember Stucky moved to approve the application with the addition of a question of whether the applicant attended to run in the November election, and to approve the proposed schedule, seconded by Councilmember Hoffmire. The vote on the motion carried unanimously.

ii. Approval of Special Meeting – Joint Meeting with the Planning Commission

City Administrator Oborn noted that members of the Planning Commission and members of City Council had expressed their interest in holding a joint meeting. He explained the purposed of special meeting was discuss Economic Development and other items of mutual interest. He requested the Council approve the suggested date, Wednesday, May 17th at 3:00 p.m.

Motion: Councilmember Hoffmire moved to approve a Special Meeting - Joint Meeting with the Planning Commission, for May 17th at 3:00 P.M. Mayor Pro Tem Hizon seconded the motion, which carried unanimously.

6. PUBLIC HEARINGS & MEETINGS

None

7. ORDINANCES & RESOLUTIONS

None

8. CONTRACTS & AGREEMENTS

None

9. OTHER ITEMS FOR CONSIDERATION'

None

10. REPORTS & DISCUSSION ITEMS

a. Notice: Salary Commission Report and Order

Human Resources Director House explained the Notice from the Salary Commission of the Report and Order passed on March 2, 2023. The Report and Order includes the salary determination for appropriate compensation for the Mayor and Councilmembers of the City of Oak Harbor. This is a notice to the Mayor and Council and requires no Councilmember Munns provided her respective questions and comments. The prior Salary Commission Report and Order passed on December 14, 2021. The Salary Commission meets at least once per calendar year to review the Mayor and Councilmember salary and benefits. The commission meeting is scheduled to occur before October or no later than December 31st of each calendar year.

The determination of appropriate compensation levels for Council members and the Mayor rests with the Salary Commission of the City of Oak Harbor pursuant to:

- Ordinance_ No. 1429 passed on June 30, 2005
- Amended by Ordinance No. 1806 passed July 5, 2017
- Report and Order passed August 1, 2019
- Report and Order passed November 18, 2021
- Oak Harbor Municipal Code (OHMC) Chapter 2.02; and
- RCW 35.21.015

Under OHMC Chapter 2.02, the Salary Commission is to consider and establish appropriate compensation for the City Councilmembers and the Mayor of the City of Oak Harbor. Pursuant to the obligations imposed in OHMC Chapter 2.02, the Salary Commission met in a regular meeting on March 2, 2023. In addition, the Commission solicited input from various parties concerning the issues involved.

The Commission considered a variety of factors as relevant to setting salaries, including the need to attract candidates for office from a variety of occupations; the presumption that elected officials' primary motivation is public service; comparisons to similarly situated cities; and the cost-of-living changes that have occurred since the previous salary adjustments.

Director House noted no action was required by the Council. The Council does not vote on the salary adjustments, which are based in part on the cost-of-living changes and benefits provided to non-represented employees. The report and order covers 2023 and 2024.

The previous salary adjustment for the Mayor was in 2021 by Report and Order passed on November 18, 2021, a 2% cost-of-living adjustment was given to the Mayor's salary, comparable to the non-represented employees.

- a. For the Mayor, the Salary Commission recommends a cost-of-living salary increase in the amount of 2% effective May 1, 2023.
- b. For the Mayor, the Salary Commission recommends a cost-of-living salary increase in the amount of 3% effective January 1, 2024.

The previous salary adjustment for the Councilmembers was in 2021 by Report and Order passed on November 18, 2021, a 2% cost-of-living adjustment was given to the Councilmembers salary, comparable to the non-represented employees.

- a. For Councilmembers, the Salary Commission recommends a cost-of-living increase in the amount of 2% effective May 1, 2023.
- b. For Councilmembers, the Salary Commission recommends a cost-of-living salary increase of 3% effective January 1, 2024.

The 2% cost-of-living salary adjustment increase for Mayor and Councilmembers shall be effective May 1, 2023 and continue thereafter. The 3% cost-of-living salary adjustment increase for Mayor and Councilmembers shall be effective January 1, 2024, and continue thereafter.

Compensation shall be so determined and incorporated into the City budget without further action of the City Council or the commission (OHMC 2.02.040).

The Council thanked the Salary Commission members for their participation.

Mayor Pro Tem Hizon questioned whether the increases apply to current council members, as they could not vote for a raise for themselves. City Administrator Oborn explained that as previously noted by Director House, since the City has a Salary Commission which reviews and make these determinations apart from the Council, Councilmembers do not vote to set salary for the Mayor or for themselves.

Councilmember Stucky also provided his respective questions and comments.

11. EXECUTIVE SESSION

None

Adjourn

Motion: There being no further business, Councilmember Stucky moved to adjourn, seconded by Councilmember Marshall. The motion was approved by a unanimous vote, therefore the meeting adjourned at 6:49 p.m.

Certified by Julie Nester, City Clerk